IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 21474 of 2007(F)

PETITIONER:

VALIPARAMBIL KARAPPU, S/O.CHATHAN,
AGED 49 YEARS, EDAKKAZHIYOOR P.O.,
THRISSUR DISTRICT.

BY ADV. SRI.P.RAMACHANDRAN

RESPONDENTS:
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1. THE GENERAL MANAGER, GURUVAYOOR
CO-OPERATIVE URBAN BANK LTD.,
GURUVAYOOR, THRISSUR DIST.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

***3. THE GURUVAYOOR CO-OPERATIVE BANK LTD.,**
NO. 1652, GURUVAYOOR, REP. BY ITS GENERAL MANAGER.

***ADDL. R3 IS IMPLEADED AS PER ORDER DATED 01/08/2007**
IN IA NO. 10611/2007.

BY ADV. SRI.DEVAPRASANTH.P.J. -- R1
R2 BY GOVT. SRI. P.K. RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21474/2007 F

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE DEMAND NOTICE DT. 24/08/06.

EXT.P2. COPY OF THE NOTIFICATION PUBLISHED IN INDIA GAZETEE DT. 28/1/03.

EXT.P3. COPY OF THE CIRCULAR NO. 50/03 DT. 29/08/2003 ISSUED BY THE R2.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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K.M.JOSEPH, J.

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WP.(C) No. 21474 of 2007

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Dated this the 1st day of August, 2007

JUDGMENT

Petitioner availed loan and it was not repaid fully. Proceedings were initiated. Learned counsel for the petitioner would submit that the action is unauthorised. After arguing for sometime, learned counsel for the petitioner submits that at any rate the petitioner may be permitted to pay off the amount in easy instalments.

2. I heard learned counsel for the Bank also.

The writ petition is disposed of as follows:

The petitioner is permitted to pay off the amount remaining to be paid with interest in nine equal monthly instalments. The respondent Bank will serve a payment chart on the petitioner showing the amount remaining to be paid with interest and the amount of instalment to be paid on the basis that the petitioner has to pay it in nine equal monthly instalments. This shall be done within two weeks from today. The first instalment shall be paid on or before 4.9.2007 and the succeeding instalments on or before the 4th of the succeeding months. If any

instalment is not paid, petitioner will lose the benefit of this judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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